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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pestka, S.

Serial No: 09/891,093

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For: Modified Interferons

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Commissioner for Patents
United State Patent and Trademark Office
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Submitted herewith on Form PTO/SB/08 is a list of publications in compliance with the requirements of 37 CFR 1.56 that applicants and their agents/attorneys have identified during the preparation of this application. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed before the mailing of the first office action on the merits; therefore, no fee is due.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449. A copy of each reference on PTO/SB/08 is attached.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,
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